

A GUIDE TO ARIZONA OFF-HIGHWAY VEHICLE LAWS, RULES AND REGULATIONS



azgfd.com

Arizona Game and Fish Department
2221 W. Greenway Road
Phoenix, AZ 85023
(602) 942-3000

The Arizona Game and Fish Department prohibits discrimination on the basis of race, color, sex, national origin, age, or disability in its programs and activities. If anyone believes they have been discriminated against in any of the AGFD's programs or activities, including its employment practices, the individual may file a complaint alleging discrimination directly with the AGFD Deputy Director, 2221 W. Greenway Rd., Phoenix, AZ 85023, (602) 942-3000 or U.S. Fish and Wildlife Service, 4040 N. Fairfax Dr., Suite 130, Arlington, VA 22203. If you require this document in an alternative format, please contact the AGFD Deputy Director as listed above or by calling TTY at (800) 367-8939.

WHY IS ARIZONA GAME AND FISH DEPARTMENT INVOLVED WITH OHV USE IN ARIZONA?

The Arizona Game and Fish Department is responsible for managing Arizona's wildlife and for helping protect wildlife habitat. By law, the department is responsible for identifying habitat damaged by off-highway vehicles, providing information and education about off-highway vehicles, and enforcing OHV laws. The Arizona Game and Fish Department encourages OHV users to protect wildlife habitat by following OHV-related rules and regulations. Responsible and courteous use of OHVs will help ensure your privilege to use public lands for off-highway riding. Please stay on existing roads and trails, have fun, be safe and encourage others to do the same.

ARIZONA STATUTES

Definitions

All-terrain vehicle means a motor vehicle that satisfies all of the following:

- (a) Is designed primarily for recreational nonhighway all-terrain travel.
- (b) Is 50 or fewer inches in width.
- (c) Has an unladen weight of 800 pounds or less.
- (d) Travels on three or more low-pressure tires.
- (e) Has a seat to be straddled by the operator and handlebars for steering control.
- (f) Is operated on a public highway. ARS 28-101.3

Off-road recreational motor vehicle means a motor vehicle that is designed primarily for recreational nonhighway all-terrain travel and that is not operated on a public highway. ARS 28-101.34

Street or highway means the entire width between the boundary lines of every way if a part of the way is open to the use of the public for purposes of vehicular travel.

(This includes the shoulders of the roadway) ARS 28-101.48



An Arizona Game and Fish officer assists off-highway vehicle users near Sycamore Creek in the Tonto National Forest.

Off-highway vehicle means a motorized vehicle when operated off of highways on land, water, snow, ice or other natural terrain or on a combination of land, water, snow, and ice or other natural terrain. Includes a two-wheel, three-wheel, or four-wheel vehicle, motorcycle, four-wheel drive vehicle, dune buggy, amphibious vehicle, ground effects or air cushion vehicle and any other means of land transportation deriving motive power from a source other than muscle or wind. ARS 28-1171.3.a.b.

Off-highway vehicle trail means a multiple use corridor that is all of the following:

- (a) Open to recreational travel by an off-highway vehicle.
- (b) Not normally suitable for travel by conventional two-wheel drive vehicles.
- (c) Opened by the managing authority of the property that the trail traverses for the specific designated purpose of recreational off-highway vehicle use. ARS 28-1171.4

Arizona OHV Laws

- It is unlawful for a person to drive or be in actual physical control of a vehicle in this state ... while under the influence of intoxicating liquor, any drug, a vapor-releasing substance containing a toxic substance or any combination of liquor, drugs or vapor-releasing substances if the person is impaired to the slightest degree. ARS 28-1381 A.1.
- It is unlawful for a person to drive an off-highway vehicle with reckless disregard for the safety of persons or property. ARS 28-1174

- No person shall drive a motor operated vehicle cross-country on public or private lands where such cross-country driving is prohibited by rule or regulation or, in the case of private lands, by proper posting. ARS 17-454
- A person shall not take wildlife, except aquatic wildlife, or discharge a firearm or shoot any other device from a motor vehicle ... except as expressly permitted by the commission. No person may knowingly discharge any firearm or shoot any other device upon, from, across or into a road or railway. ARS 17-301.B



This Arizona wildlife habitat has been damaged by off-highway vehicles driven cross-country.

The operation of an ATV requires skill and good judgment. Drugs and alcohol impair both. Laws regarding driving under the influence apply everywhere in the state and apply to operators of ATVs. You can be arrested for driving under the influence even if you are riding on a backcountry trail. Penalties for operating an ATV under the influence of alcohol or drugs are the same for drivers of any motor vehicle. They include jail time and the loss of your driver's license.

TITLE, REGISTRATION AND LICENSE PLATES

The Arizona Department of Transportation Motor Vehicle Division (MVD) is responsible for title and registration of motor vehicles in Arizona. Individual offices are located statewide and are listed in the phone book and on the Department of Transportation Web site at www.dot.state.az.us.

Title and registration are two different things. A title is proof of ownership, while registration allows you to operate a vehicle on public roads. For title purposes ATVs are classified as off-road recreational vehicles. When you buy an ATV from a licensed dealer in Arizona, you must apply for a title at the time of purchase. The dealer will submit the information to the MVD, and the new owner will receive a title in the mail. If you buy a used ATV, you must apply for a transfer of title with the MVD.

The MVD will send the new owner of an ATV an off-road license plate. This plate only allows for off-road travel and will be clearly marked with the letters RV. The license plate is issued for identification purposes only and should not be confused with registration. The license plate does not mean the ATV is street legal, nor does it mean the driver can operate the vehicle on streets or highways.

If the driver of an off-highway vehicle is going to drive on Arizona streets or highways the vehicle must be registered. An ATV must be street legal in order to get it registered and some ATVs may require additional equipment or modifications in order to be street legal. An ATV must also pass inspection in order to be registered. You can take the ATV to MVD to have it inspected. Only after inspection will the MVD issue a registration plate, which will be clearly marked with an MC. This plate shows the ATV is street legal in Arizona and can be operated on streets or highways.

Arizona law requires either an off-road plate or a current registration plate to be securely fastened in a clearly visible position to the rear of the ATV.

EQUIPMENT NEEDED FOR REGISTRATION

In order to get an ATV registered in Arizona it must have the following equipment:

- At least one brake that can be operated by hand or foot.
- Brake light.
- At least one, but not more than two, headlights that shine at least 500 feet ahead.
- At least one taillight visible for at least 500 feet to the rear.
- At least one red rear reflector, if not part of the taillight.

- License plate securely fastened to the rear of the ATV.
- License plate light.
- Horn audible from a distance of at least 200 feet.
- Muffler in good working order and in constant operation. Muffler cutout, bypass or similar device prohibited.
- Rearview mirror.
- Seat and footrests for the operator.
- Fuel tank cap.
- If you live in the Phoenix or Tucson metro areas you may also need to have your ATV emissions tested.

TRAVELING ON ARIZONA STREETS OR HIGHWAYS

- If you are operating an ATV on a street or highway it must be registered and insured.
- You must observe and obey all traffic laws and regulations.
- You must have a class M license for a three-wheel ATV and a class D license for a four-wheel ATV.



- Registration and proof of insurance must be with the ATV.
- All persons on an ATV must wear eye protection.

- Persons, under the age of 18, must wear a helmet on an ATV.
- A driver may not carry a passenger on an ATV designed for one person.

TRAVELING ON STATE TRUST LAND

- You must get a recreational permit from Arizona State Land Department to be on state trust land. Permits are \$15 for an individual and \$20 for a family. They are good for a 12-month period from date of purchase. The recreational permit allows travel only on existing roads and trails.
- You must register your OHV if you plan to drive it on any maintained public roads or highways on state trust land. In order to determine if a road is



maintained, look for road signs such as speed limit or stop signs. If signs are present the road is maintained. If the road has been built up with gravel or other natural materials it is considered to be maintained, and your vehicle must be "street legal" and registered in Arizona.

- Cross-country travel is not allowed on state trust land, except for hunters picking up legally killed big game.
- Using an off-highway vehicle to chase or frighten wildlife or livestock on state trust land is not allowed.
- Arizona State Land Department recreational permits prohibit motorized vehicles from operating within one-quarter mile of a structure (occupied or not), stock tanks or flood control structures.
- Persons actively hunting or fishing with a valid hunting or fishing license on state trust land do not need a separate recreational permit. If you are pursuing any other activity you must get a recreational permit.

For information on state trust lands contact:

Arizona State Land Department
1616 W. Adams
Phoenix, AZ 85007
(602) 364-2753
www.land.state.az.us

TRAVELING ON FEDERAL LAND

Equipment Needed

The minimum equipment necessary to ride on federal public land is:

- Brakes in good working order.
- Spark arrester (USDA approved) and muffler.
- If riding at night headlights and taillights required.



National Forests in Arizona

There are six national forests in Arizona and OHV rules vary from forest to forest; therefore, it is important to check with the forest you plan to visit to find out what is allowed. Forestlands where OHV use is prohibited have been declared off-limits in order to protect wildlife, vegetation or for your safety. Stay on existing roads and trails.

Some Arizona forests have completely prohibited cross-country travel, with a very limited number of exceptions. Those include picking up legally killed big game during certain hunting seasons and traveling from a designated trail to a campsite. Other Arizona forests are moving in that same direction, but rules and regulations are ultimately up to each individual forest. A good rule of thumb is to avoid cross-country travel.

Some roads in national forests require off-highway vehicles to be registered. Generally, roads marked with a horizontal sign on national forestlands require motor vehicle registration. Roads marked with vertical signs generally do not mandate registration.

Some forest areas may be seasonally closed for wildlife or other issues. Each national forest is divided into ranger districts. You can get the best information on riding opportunities, rules and seasonal closures from individual ranger district offices. Visit the U.S. Forest Service Web site, www.recreation.gov, for a great state-by-state list of all federal areas open to OHV users and their rules and regulations.

- Apache-Sitgreaves National Forest, www.fs.fed.us/r3/asnf or (928) 333-4301

- Coconino National Forest, www.fs.fed.us/r3/coconino or (928) 527-3600
- Coronado National Forest, www.fs.fed.us/r3/coronado or (520) 670-4552
- Kaibab National Forest, www.fs.fed.us/r3/kai or (928) 635-8200
- Prescott National Forest, www.fs.fed.us/r3/prescott or (928) 443-8000
- Tonto National Forest, www.fs.fed.us/r3/tonto or (602) 225-5200

BUREAU OF LAND MANAGEMENT LAND

The Bureau of Land Management (BLM) has divided the state into seven field offices. In general, off-highway vehicles are permitted, with restrictions, on many areas under BLM administration in Arizona. However, designated Wilderness Areas and other sensitive areas are closed to OHV use. The BLM has divided the property that is open to OHV use into two categories, open areas and limited areas.

Open Areas

Open areas are public lands where all types of vehicles, including OHVs, are permitted subject to operating regulations and vehicle standards. ATVs do not need to be registered to ride in open areas. You will find information on BLM open areas on its Web site. Another resource is the BLM's Public Lands Information Center Web site at www.publiclands.org.



Limited Areas

Limited areas are restricted to certain types of vehicular use and cross-country travel is not allowed. You must stay on existing roads and trails. The BLM does not require an ATV to be registered in limited areas. Some roads and trails are marked but many are not, so contact a BLM field office regarding specific roads and trails that are open to off-highway vehicles. Keep in mind, if you plan to travel on public roads or highways that cross BLM lands your ATV must be registered.

The best information on riding opportunities, rules and seasonal closures on BLM lands can be found on the BLM Web site, www.az.blm.gov, or by contacting the field office in charge of the area you're planning to use.

- Bureau of Land Management, Arizona Strip Field Office, (435) 688-3200
- Bureau of Land Management, Kingman Field Office, (928) 718-3700
- Bureau of Land Management, Lake Havasu Field Office, Lake Havasu City, (928) 505-1200 or (888) 213-2582
- Bureau of Land Management, Phoenix Field Office, (623) 580-5500
- Bureau of Land Management, Safford Field Office, (928) 348-4400
- Bureau of Land Management, Tucson Field Office, (520) 258-7200
- Bureau of Land Management, Yuma Field Office, (928) 317-3200

AREAS CLOSED TO OFF-HIGHWAY VEHICLES

There are some areas in Arizona closed at all times, marked or not, to OHV use. These include designated Wilderness Areas, tribal lands and military lands. Areas closed to cross-country travel at all times are any national, state, county or city park, any wildlife refuge or in the case of private lands, check for proper posting because access can change depending on the landowner.

OHV LAWS AND RULES REGARDING WILDLIFE AND HABITAT

Arizona law prohibits taking (pursuing, shooting, hunting, fishing, trapping, killing, capturing, snaring or netting) wildlife from a motorized vehicle. An ATV may be used only as a means of travel and not as a hunting aid. It is also unlawful to harass, molest, chase, rally, concentrate, herd, intercept, torment or drive wildlife or livestock from any motorized ground vehicle. Citations can also be issued for damaging habitat or private property.

The Arizona Game and Fish Department urges all OHV users to be neighborly to other recreationists and to wildlife, and to understand that Arizona's

wildlife relies on the land, plants and water around you. It is your responsibility to know the laws.

Arizona law gives the Game and Fish Department the authority to determine if the operation of motor vehicles within a certain area, except private land, is or may be damaging to wildlife reproduction, management or habitat. In such cases, the department is authorized to order such areas closed to motor vehicles. ARS 17-452

To report a violation of wildlife laws including damage to habitat by vehicles call 1-800-352-0700.

OHV TIPS

- Don't ride double. Carrying a passenger on an ATV designed for one person changes the center of gravity, and can cause loss of control leading to serious injury or death.
- ATVs are not designed to be operated on paved surfaces. Pavement may seriously diminish handling and control.
- Leave all gates as you find them.
- Know OHV laws in the areas you enter.
- Stay on existing roads and trails.

The laws referenced in this brochure are those most likely to affect recreational OHV users. Other laws may apply and information in this brochure is subject to change.

